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REMARKS

Reexamination of this application is respectfully requested.

The examiner has rejected claims 1, 2 and 13-21 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-24 of U.S. Patent No. 6,158,369. Claims 19 and 20 were also rejected as being anticipated by Tucker, and therefore were rejected on that basis also.

Applicant has canceled claims 19 and 20 and has submitted an acceptable terminal disclaimer to overcome the double patenting rejection of all remaining claims, with the specifics on the disclaimed dates to be determined by the examiner and the Patent Office. It is believed that the submission of the terminal disclaimer addresses and resolves the examiner's concerns, and therefore it is respectfully requested that the present application be passed to issuance at the examiner's convenience. As the action was final, the present amendment is designed to place the application in condition for allowance of all claims remaining herein, and such action is respectfully requested.

Applicant has also filed a petition to revive the application as it was unintentionally abandoned, as applicant's attorney did not receive the notice of non-compliant amendment until after the response date had passed, and therefore is resubmitting the present amendment in the hope that the patent application will be revived and issued.

Respectfully submitted,

Adam H. Jacobs

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Attorney for Petitioner

CERTIFICATE OF MAILING

I hereby certify that this Amendment, Terminal Disclaimer and check in the amount of sixty-five dollars (\$65.00) for a TRANSONIC HULL AND HYDROFIELD II, Serial Nº 09/672,190, was mailed by first class mail, postage prepaid, to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, op this 28th day of February, 2007.

Adam H. Jacob